

Message Text

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42

ACTION ARA-17

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-09 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-14 USIA-12 IO-12

AID-20 EB-11 SIL-01 LAB-06 SY-07 RSR-01 /140 W

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R 192013 Z MAR 73

FM AMEMBASSY LA PAZ

TO SECSTATE WASHDC 9346

INFO USCINCSO

UNCLAS LA PAZ 1546

USCINCSO FOR POLAD

E. O. 11652 : N/ A

TAGS: PINS, BL

SUBJ: LAW OF SECURITY OF THE STATE

1. THE " LAW OF SECURITY OF THE STATE" FIRST PROMULGATED ON DECEMBER 22, 1967 BY THE NATIONAL ASSEMBLY UNDER GENERAL BARRIENTOS AND ABROGATED BY SUPREME DECREE 08944 OF OCTOBER 2, 1969 UNDER GENERAL OVANDO, WAS PLACED INTO EFFECT ONCE AGAIN DURING MARCH 12 CABINET SESSION. THIS LAW DEFINES POLITICAL CRIMES AND SETS PENALTIES FOR EACH. ARTICLE 1 SETS JAIL SENTENCES FROM 6 MONTHS TO 8 YEARS, DEPENDING ON THE SERIOUSNESS OF THE CRIME, FOR GUERRILLA OR " ILLEGAL ARMED GROUPS" ACTIVITIES, SABOTAGE, ARSON, ROBBERY, ILLEGAL STRIKES, ASSASSINATION AND " PARALYZATION OF PUBLIC SERVICES BY ANY MEANS WHICH INTERFERES IN THE WORK OF DEVELOPMENT OF THIS COUNTRY". ARTICLE 2 STATES THAT IF THE POLITICAL ACTION AFFECTS THE MILITARY THE ACCUSED WILL BE TRIED IN A MILITARY COURT. ARTICLE 3 STATES THAT IF ACCUSED IS A PUBLIC OR MILITARY OFFICER THE CRIME IS TO BE CONSIDERED AGGRAVATED.

2. MININTERIOR ADET ZAMORA TOLD THE PRESS THAT MANY OF THE POLITICAL PARTIES NOW IN OPPOSITION TO THE BANZER GOVERNMENT SAT IN THE NATIONAL ASSEMBLY WHEN THIS LAW WAS ORIGINALLY APPROVED. HE ADDED THAT NOW " THEY OUGHT TO EXPRESS THEIR SATISFACTION THAT A LAW WHICH THEY GAVE TO THE COUNTRY HAS BEEN PLACED INTO EFFECT".

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3. COMMENT: WE UNDERSTAND THAT LAW, WHICH LEGALIZES DETENTION OF POLITICAL PRISONERS, WAS REINSTATED IN ANSWER TO CHARGES BY EX-PRESIDENT SILES SALINAS THAT POLITICAL PRISONERS WERE BEING ILLEGALLY DETAINED. HOWEVER, ONE POLITICAL CONTACT TOLD EMBOFF THAT LAW WAS USED DURING BARRIENTOS REGIME TO CONTROL LABOR AND THAT LABOR COULD BE EXPECTED TO REACT UNFAVORABLY TO ITS RESTORATION. A MINE WORKERS OFFICIAL ACKNOWLEDGED TO EMBOFF THAT IT COULD WELL BE USED AGAIN TO "FRUSTRATE ORGANIZED LABOR'S LEGITIMATE ACTIVITIES", BUT HE AT LEAST DID NOT SEEM TO BE OVERLY CONCERNED. SIRACUSA

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*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

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